

# Justice to Probe 2 Panther Deaths

The Justice Department said yesterday that its civil rights division will make a preliminary investigation into last week's fatal shooting of two leaders of the Black Panther party by Chicago police.

Federal lawyers and FBI agents will look into charges of "murder" by Panther officials and other Chicago black leaders to see if there is a basis for federal prosecution, a department spokesman said here.

Cook County State's Attorney Edward V. Hanrahan had welcomed the investigation by the division because, he said, it was a "reliable, objective agency." Assistant State Attorney General Frank McGarr announced that the investigation was undertaken by agreement with U.S. Assistant Attorney General Jerris Leonard.

Officials declined to say what federal charge could form the basis of the Justice Department investigation. However, a reconstruction era statute prohibits summary punishment by persons acting under color of law. Congress increased the law's penalties last year to a maximum of life imprisonment if death results.

Fred Hampton, Illinois chairman of the Panthers, and

Mark Clark, a downstate leader, were killed Dec. 4 in a pre-dawn shootout with police who were executing a warrant to search for concealed weapons. The raid turned up 14 guns and about 1000 rounds of ammunition.

The clamor for an investigation included requests for participation by several other federal bodies as well as the Justice Department. Some said Congress should investigate, some suggested the national violence commission that went out of business yesterday and some Panther spokesman, charging "genocide," said it was a problem for the United Nations.

Sen. Charles H. Percy (R-Ill.) said in a morning press conference that the U.S. Civil Rights Commission, an independent agency headed by the Rev. Theodore Hesburgh, president of Notre Dame University, should conduct the investigation.

Percy also said the Panthers have gained credibility as the result of the shootout, Percy said. He quoted city black leaders as saying the Panthers were winning acceptance among Negroes for their claim that the militants needed huge stores of shotguns and other weapons for protection against police attacks.